



★ Code Enforcement ★

April 8, 2022

**HEB GROCERY COMPANY LP
646 S MAIN AVE
SAN ANTONIO, TX 78204-1210**

Re: Property Id #254132 FM 663 Midlothian TX: ANNUAL NOTICE HIGH GRASS

To Whom It May Concern:

Staff observed high grass and weeds at the above referenced locations. According to the Ellis County Appraisal District, you are shown as the owner of the property. This notice is regarding high grass on the property.

The City of Midlothian Health and Sanitation Ordinance/ Property Maintenance -Sec. 6.04.001 **Height restrictions**

(a) All weeds not regularly cultivated and which exceed 12 inches in height shall be presumed to be objectionable, unsightly, and unsanitary, and are hereby declared a public nuisance. For purposes of this article, weeds shall mean vegetation, including grass, that because of its height is objectionably unsightly or unsanitary, but excluding (1) shrubs, bushes, and trees; (2) cultivated flowers; and, (3) cultivated crops.

(b) It shall be unlawful for any person, firm or corporation owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city to permit weeds to grow to a greater height than twelve inches (12") upon any such real property; including along the sidewalk or street adjacent to the premises between the property line and the curb or, if there is no curb, between the property line and the driving surface.

(c) Cultivated agricultural properties. For cultivated agricultural properties that have been granted a property tax exemption by the county appraisal district in which the property is located, on which the distance between the growing crop and abutting property under different ownership or street right-of-way is less than fifty feet (50'), the person, firm or corporation owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, commits an offense if said person permits weeds to grow to a height greater than twelve inches (12") between such growing crop and such property or street right-of-way, provided such permitted height does not create a traffic visibility obstruction or traffic hazard. Upon written notice to the property owner, this minimum distance may be increased or decreased on a case-by-case basis when deemed necessary by the fire department or code official to insure adequate fire safety of adjacent property containing structures or equipment.

(d) Uncultivated agricultural properties. For uncultivated agricultural properties that have been granted an agricultural property tax exemption by the county appraisal district in which the property is located, the person, firm or corporation owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, commits an offense if said person permits weeds to grow to a greater height than twelve inches (12") within fifty feet (50') from any adjacent property under different ownership or any street right-of-way. Upon written notice to the property owner, this minimum may be increased or decreased on a case-by-case basis when deemed necessary by the fire department or code official to insure adequate fire safety of adjacent property containing structures or equipment.

(e) It shall be unlawful for the person, firm or corporation owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, to permit the growth weeds, shrubs, trees, cultivated crops or other vegetation to be maintained so as to cause danger to traffic by obstructing visibility or protruding into the right-of-way

Code Enforcement Division

MAILING ADDRESS
1150 N HWY 67 Suite 300
MIDLOTHIAN, TX 76065
(972) 775-7614

PHYSICAL ADDRESS
1150 N HWY 67 Suite 300
MIDLOTHIAN, TX 76065
(972) 775-7614



★ Code Enforcement ★

Sec. 6.04.002 Notice of failure to comply; abatement of nuisance--In the event that any person, firm or corporation, owning, claiming, occupying, or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city fails to comply with the provisions of this article, it shall be the duty of the community services department code enforcement officer or duly authorized city representative, to give ten (10) days' notice in writing to such person, firm or corporation violating the terms of this article. Said notice shall be in writing and may be served on said person, firm or corporation by handing it to said person or to the agent of said firm or corporation, or by letter sent by certified mail addressed to such person, firm or corporation at its post office address, or by posting property with notice, placard or by stake. If the notice is returned undelivered/unclaimed by the U.S. Post Office, the validity of the notice is not affected, and the notice is considered as delivered. Official action to correct the violation shall be continued to a date not less than ten (10) days from the date of the notice. The said person, firm or corporation will be notified once per premises violation during a twelve-month period, beginning with the date of the first violation. Subsequent violations of the same kind or nature committed within the same twelve-month period shall not require additional notice prior to the start of appropriate corrective action as required by this division. Sec. 6.04.003 Abatement expenses--The expenses of abatement of said nuisance and associated administrative fees incurred pursuant to the above section shall be paid by the city and charged to the owner of such property. An administrative fee of \$125.00 shall be assessed for each nuisance abated each time the said nuisance is abated. In the event the owner fails or refuses to pay such expense within thirty (30) days after the first day of the month following the one in which the work was done, the city shall file with the county clerk a statement of the expenses incurred in correcting the condition on the property. When such statement is filed, the city shall have a privileged lien on such property, second only to tax liens and liens for street improvements, to secure the payment of the amount so expended. Such amount shall bear interest at the rate of ten percent (10%) per annum from the date the city incurs the expense. For any such expenditures and interest, suit may be instituted and recovery and foreclosure had by the city. The statement of expenses filed with the county clerk, or a certified copy thereof shall be prima facie proof of the amount expended in such work, improvement, or correction of the property, all as more particularly specified in chapter 342 Health and Safety Code, Vernon's Annotated Texas Civil Statutes, which is hereby adopted.

State Law requires an annual notice to be posted in the yard or for the notice to be mailed certified and regular mail.

Please abate the violation within 10 days of the date of this notice. Failure to correct the violations may result in the City performing the work and billing you for the correction of the violation plus \$125.00 administrative fee and /or citations.

This is the only notice for high grass you will receive for the next 12 months. Subsequent violations may be corrected by the city without further notice and the property owner charged for the work done plus administrative fee and /or citations.

Thank you in advance for your attention to this matter. If you have any questions, please call 972-775-7614 and speak with Rebecca Jones or Debbie Lubke

Will Clark
Code Enforcement City of Midlothian

CERTIFIED LETTER: 7019 0700 0001 2938 6672

Code Enforcement Division

MAILING ADDRESS
1150 N HWY 67 Suite 300
MIDLOTHIAN, TX 76065
(972) 775-7614

PHYSICAL ADDRESS
1150 N HWY 67 Suite 300
MIDLOTHIAN, TX 76065
(972) 775-7614